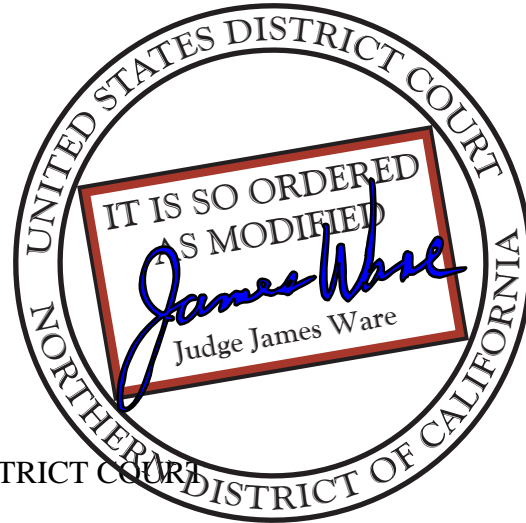


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UNITED STATES DISTRICT COURT
FOR DISTRICT OF NORTHERN CALIFORNIA

ROBERTO CELESTINO, GERALDO
PACHECO, JOSE MONTEJANO AND
GERARDO M.CELESTINO, individually and
on behalf of others similarly situated

Plaintiffs,

vs.

THE WILDCAT VINEYARDS LLC DBA
SARAH'S VINEYARD, AND DOES 1 TO 10

Defendants

Case No.: C08-0994 JW

MOTION TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE &
[PROPOSED] ORDER

Pursuant to Civil Local Rule 6-3, Plaintiff counsel hereby moves the Court to continue the Initial Case Management Conference currently scheduled on August 18, 2008, to September 1, 2008 as follows:

1. Plaintiffs filed this case on February 19, 2008. The Initial Case Management Conference is scheduled on August 18, 2008.
2. Since the service of the process on Defendants, parties have conducted informally exchange of documents in efforts of exploring a settlement. So far, both parties have performed audit as to the number of hours worked by each respective Plaintiff based on the records maintained by the Defendants, which have provided a basis for parties to negotiate a

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1 settlement. The settlement progress has been halted due to the primary Plaintiff Mr. Celestino's
2 recent trip to Mexico.

3 3. During the last week, parties have tried to connect each other for the purpose of
4 meeting and conferring on the Joint Case Management Statement, but were unable to because the
5 Defendants' counsel have been unavailable for the large part of the week and this week as they
6 have been in a trial for several weeks now.

7 4. As such, Plaintiffs respectfully request that the Court continue the Initial Case
8 Management Conference to September 1, 2008, to (i) allow parties sufficient time to continue
9 exploring the settlement now that the Mr. Celestino has returned; and (ii) accommodate
10 Plaintiff's counsel conflict in schedule on following Monday August 25, 2008.

11 I, the undersigned, declare under the penalty of perjury under the laws of the United
12 States the foregoing is true and accurate.

13 Dated: August 13, 2008

14 By: /s/ ADAM WANG.
Attorney for Plaintiffs

15 _____
16 [PROPOSED] ORDER

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the Initial Case
18 Case Management Conference is continued from August 25, 2008 to **September 15, 2008** at
19 **10 a.m.** On or before **September 5, 2008**, the parties shall file a Joint Case Management
20 Statement. The Statement shall update the Court on the parties' settlement efforts, and provide
21 a good faith discovery plan, including a proposed date for the close of all discovery.
22

23 Dated: August 19, 2008

24 James Ware
JAMES WARE
United States District Judge
25

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